

1 MICHAEL P. ADAMS (*Pro Hac Vice*)
madams@dykema.com

2 SHERRI A. WILSON (*Pro Hac Vice*)
swilson@dykema.com

3 **DYKEMA GOSSETT PLLC**
111 Congress Avenue, Suite 1800
4 Austin, Texas 78701
Telephone: (512) 703-6300
5 Facsimile: (512) 703-6399

6 ABIRAMI GNANADESIGAN (SBN 263375)
agnanadesigan@dykema.com

7 **DYKEMA GOSSETT PLLC**
333 South Grand Avenue, Suite 2100
8 Los Angeles, California 90071
Telephone: (213) 457-1800
9 Facsimile: (213) 457-1850

10 Attorneys for MH Sub I, LLC

11
12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 EXPRESS MOBILE, INC.,

16 Plaintiff,

17 v.

18 MH SUB I, LLC,

19 Defendant.
20

Case No. 3:19-CV-3352-RS

**STIPULATION AND ORDER
MODIFYING CASE MANAGEMENT
SCHEDULING ORDER (DKT. 32)**

1 IT IS HEREBY STIPULATED by and between Plaintiff Express Mobile, Inc. (“Express
2 Mobile”) and Defendant MH Sub I, LLC (“MH Sub”) as follows:

3 WHEREAS, the Court entered a Case Management Scheduling Order on September 13,
4 2019 (Dkt. 28);

5 WHEREAS, the Court entered a stipulation and order modifying the Case Management Scheduling
6 Order on February 5, 2020 (Dkt. 32);

7 WHEREAS, in light of the COVID-19 pandemic, the parties have agreed that it would be
8 mutually beneficial to modify the case schedule to allow the parties and their attorneys to
9 accommodate evolving changes to living and working conditions, including changes resulting
10 from state and city shelter-in-place orders, such as California’s Executive Order, issued March 19,
11 2020 and effective until further notice, mandating certain businesses to cease all activities except
12 for Minimum Basic Operations. The parties will continue to work with each other to
13 accommodate each other’s needs which are directly caused by these unique circumstances that are
14 currently impacting the Court, counsel, and the parties and, if necessary, will promptly notify the
15 Court of any additional necessary schedule modifications;

16 WHEREAS, there has only been one schedule modification in this case;

17 NOW, THEREFORE, pursuant to Civil Local Rule 6-2, the parties hereby stipulate to the
18 following modifications to the current Case Management Scheduling Order:
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Description	Current Deadline	Deadline
MH Sub I serves Invalidity Contentions and Document Production (LPR 3-3, 3-4)	3/18/2020	5/20/2020
Exchange of proposed terms for claim construction (LPR 4-1)	4/1/2020	6/4/2020
Exchange of proposed claim constructions and extrinsic evidence, including any expert reports for claim construction (LPR 4-2)	4/22/2020	6/22/2020
Express Mobile serves Damages Contentions (LPR 3-8)	5/6/2020	7/8/2020
Joint Claim Construction and Prehearing Statement and exchange of any expert rebuttal reports for claim construction (LPR 4-3)	5/13/2020	7/15/2020
MH Sub I serves Responsive Damages Contentions (LPR 3-9)	6/3/2020	8/3/2020
Completion of claim construction discovery (including depositions of any experts for claim construction) (LPR 4-4)	6/12/2020	7/13/2020
Express Mobile files Opening Claim Construction Brief (LPR 4-5(a))	7/1/2020	9/3/2020
MH Sub I files Responsive Claim Construction Brief (LPR 4-5(b))	7/15/2020	9/17/2020
Express Mobile files Reply Claim Construction Brief (LPR 4-5(c))	7/22/2020	9/24/2020
Claim Construction hearing	8/14/2020	10/16/2020 at 10:00 am

1 DATED: March 31, 2020

Respectfully submitted,

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3 By: /s/ Abirami Gnanadesigan
ABIRAMI GNANADESIGAN (SBN 263375)
agnanadesigan@dykema.com
4 DYKEMA GOSSETT PLLC
5 333 South Grand Avenue, Suite 2100
Los Angeles, California 90071

6
7 MICHAEL P. ADAMS (*Pro Hac Vice*)
madams@dykema.com
8 SHERRI A. WILSON (*Pro Hac Vice*)
swilson@dykema.com
9 **DYKEMA GOSSETT PLLC**
111 Congress Avenue, Suite 1800
10 Austin, Texas 78701

11 Attorneys for Defendant MH Sub I, LLC

12
13 By: /s/ Jeffrey F. Craft
JEFFREY FRANCIS CRAFT (SBN 147186)
jcraft@devlinlawfirm.com
14 **DEVLIN LAW FIRM LLC**
1731 Fox Springs Circle
15 Newbury Park, California 91320

16 Attorneys for Plaintiff Express Mobile, Inc.

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18 **SIGNATURE ATTESTATION**

19 Pursuant to Civil Local Rule 5-1(i)(3), I hereby certify that concurrence in the filing
20 of this document has been obtained from each of the other Signatories shown above.

21 Dated: March 31, 2020.

22 By: /s/ Abirami Gnanadesigan
23 Abirami Gnanadesigan

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 4/3/2020



The Honorable Richard Seeborg
UNITED STATES DISTRICT JUDGE

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